

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on May 8, 2019, the following order was made and entered:

In the Matter of: Roger D. Clem, Jr.
 Magistrate of Lewis County

No. 19-0439

ORDER

On this day, Teresa A. Tarr, Judicial Disciplinary Counsel, presented to the Court a report pursuant to Rule 2.14 of the Rules of Judicial Disciplinary Procedure in the above-captioned matter, in response to a complaint filed by the Administrative Director of the Courts against the respondent herein, Roger D. Clem, Jr., asserting that the respondent has been indicted and charged with a serious offense and has engaged or is currently engaging in a serious violation of the Code of Judicial Conduct.

Having maturely considered the report pursuant to Rule 2.14(c) of the Rules of Judicial Disciplinary Procedure, the Court is of the opinion that there is probable cause to believe the respondent has engaged or is currently engaged in a serious violation of the Code of Judicial Conduct.

Therefore, pursuant to the Rules of Judicial Disciplinary Procedure, it is **ORDERED** that the respondent, Roger D. Clem, Jr. is hereby suspended without pay, and is prohibited from hearing any further civil or criminal matters or performing any other judicial functions during the pendency of this matter. The respondent is hereby notified of the right to request a hearing on the issue of his suspension pursuant to Rule 2.14(c) of the Rules of Judicial Disciplinary Procedure and Article VIII, Section 8 of the Constitution of West Virginia. Any request for a hearing must be in writing and filed with the Clerk of Court within thirty days of the date of this order.

It is **ORDERED** that this matter shall be, and it hereby is, remanded to the Judicial Investigation Commission for the filing of formal charges and proceedings pursuant to Rule 2.7(d) and 4 of the Rules of Judicial Disciplinary Procedure. It is further **ORDERED** that the complaint

filed by the Administrative Director and the report filed by Judicial Disciplinary Counsel shall be, and hereby are, ordered **SEALED**.

Service of an attested copy of this order upon the respondent shall constitute sufficient notice of its contents.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

